

**United States District Court
Northern District of Indiana
Northern District of Indiana**

MAURICE BROWN,

Plaintiff,

v.

INDIANA BUREAU OF MOTOR
VEHICLES,

Defendant.

Civil Action No. 2:15-CV-361 JVB

ORDER

This matter is before the Court on Plaintiff Maurice Brown's motion to proceed in forma pauperis (DE 2) and the motion to dismiss filed by the Indiana Bureau of Motor Vehicles ("IBMV") (DE 7).

Plaintiff sued the IBMV alleging that it violated his constitutional rights by suspending his driver's license without a fair hearing. He demands damages in the amount of \$1,000,000.

The IBMV argues, among other things, that Plaintiff's suit must be dismissed because, as an agency of the State of Indiana, it has sovereign immunity. Its argument is well taken. An unconsenting State is immune from suit in federal courts by its own citizens. *Edelman v. Jordan*, 415 U.S. 651, 662–63 (1974). This immunity extends to State agencies. *Garcia v. City of Chi.*, 24 F.3d 966, 968 (7th Cir 1994). The IBMV is an agency of the State of Indiana. *See Ind. Code* § 9-14-1-1. Accordingly, the Court **DISMISSES** Plaintiff's suit against the IBMV without prejudice. His motion to proceed in forma pauperis is **DENIED** as moot.

SO ORDERED on November 23, 2015.

s/ Joseph S. Van Bokkelen
Joseph S. Van Bokkelen
United States District Judge